

Application No. 10/709,119
Second Preliminary Amendment dated July 28, 2006

Docket No.: 65833-0012

REMARKS

Applicant has amended independent claims 42 and 51 to more clearly define the invention. Specifically, claims 42 and 51 now recite that "the cross-sectional area of said at least one dispersing chamber proximate said inlet port is smaller than the cross-sectional area of said at least one dispersing chamber proximate said outlet orifices..."

As stated in the Preliminary Amendment filed July 25, 2006, the Examiner applied Choi to reject claims previously pending in this case wherein "a width of said dispersing chamber generally increases from said inlet to said outlet." under 35 U.S.C. §102. *Final Office Action, p. 4*. The Examiner identified elements 11 and 11' in Choi as corresponding to the "dispersing chamber" recited in the previously-pending claims, and then generally asserted, without any identification in the Choi reference, that the width of the Choi "dispersing chamber" (elements 11 and 11') "generally increases from the inlet to the outlet." *Final Office Action, p.4*. Applicant respectfully submits that elements 11 and 11' in Choi cannot be considered a "dispersing chamber" that either generally increases in width (as recited in the previously-pending claims) or, more importantly, wherein "the cross-sectional area of said at least one dispersing chamber proximate said inlet port is smaller than the cross-sectional area of said at least one dispersing chamber proximate said outlet orifices...", as currently recited in claims 42 and 51. Figure 2 of Choi shows elements 11 and 11' as together constituting a "slotted material passage" that has uniform dimensions from the inlet 12 to the outlet 13. Applicant is unable to locate any description in the specification of Choi that suggests that a cross-sectional area of the "slotted material passage" 11 and 11' is smaller proximate the inlet 12 than proximate the outlet 13.

Because Choi does not disclose a "dispersing chamber", as recited in claims 42 and 51, Choi further does not disclose that the dispersing chamber is disposed partially in the applicator body and partially in the detachable applicator plate, as recited in claims 42 and 51.

For at least the specified reasons, claims 42 and 51 are allowable over the cited prior art. Dependent claims 43-50 depend, directly or indirectly, from claim 42. Therefore, claims 43-50 are allowable as depending from an allowable independent claim.

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Claim 46

Claim 46 is allowable over the cited prior art for additional reasons. Claim 46 recites that the detachable applicator plate have a wall that separates the at least two dispersing chambers, and that the bottom end of the wall is narrower than the top end of the wall. The sealing member contacts the top end of the wall, and the bottom end of the wall is proximate the outlet orifices. This feature is shown in Figure 16, wherein the wall is element 334 between dispersing chambers 332. Sealing member 338 contacts the top end of wall 334.

In the Final Office Action, the Examiner conceded that the primary reference, Choi, does not disclose a sealing member, let alone a sealing member that is partially disposed in a groove in the applicator body and in contact with the detachable applicator plate. The Examiner relied upon U.S. Patent No. 5,265,800 to Ziecker for this feature. However, neither Choi nor Ziecker disclose the particular configuration recited in claim 46, namely a wall separating two dispersing chambers that is narrow at the bottom end than the top end, and where the sealing member contacts the top end. Therefore, claim 46, as well as dependent claim 47, is allowable for this additional reason.

Claim 47

Claim 47 is also allowable for additional reasons. Claim 47, depending from claim 46, recites that the bottom end of the wall is narrow than a distance between said outlet orifices. This feature is also shown in Figure 16, wherein the bottom end of wall 334 between dispersing chambers 338 is narrower than a distance between outlet orifices 330. Applicant submits that this feature is not shown in the cited prior art. Further, this feature is beneficial because it enables the outlet orifices near the wall to be placed very close together (at the bottom end of the wall), while providing a sufficient surface against which the sealing member 338 can make

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contact (at the top end of the wall). Thus, this is an additional reason why claim 47 is allowable over the cited prior art.

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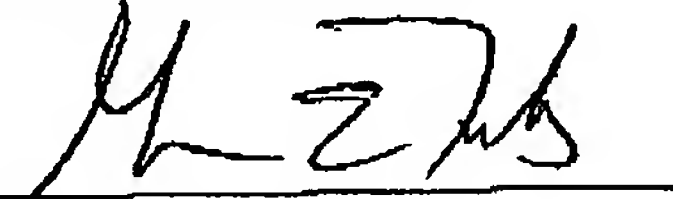
CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes any fee due with this response is addressed in an accompanying transmittal. Please charge our Deposit Account No. 18-0013, under Order No. 65833-0012 from which the undersigned is authorized to draw.

Dated: July 28, 2006

Respectfully submitted,

By 

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